

## MUST PAY LICENSE.

## Justice Dole Upholds the Drummers' License Law.

Justice Dole has decided that the law compelling commercial drummers to take out a license is good. The title of the case is "In the matter of the bankruptcy of William H. Daniels; proof of claim of Buckingham & Hecht, foreign creditors."

## DECISION.

The claim of Buckingham & Hecht, a San Francisco firm, was formally proved May 4, 1891. Afterwards, to wit, November 25, 1891, on motion of the assignee, the proof of this claim was vacated by the order of the Court in order that the assignee might contest the same. A hearing was had April 8, 1892, in which evidence was taken, by which it appeared that an agent of the claimants named Young came to Daniels in 1890 and solicited orders from him on the claimants, and succeeded in obtaining an order for shoes to the amount of \$1061.90, which is the present claim. The goods were delivered in two lots.

The assignee contends that the contract of sale was void under Chapter 55 of the Laws of 1888, entitled "An Act to regulate the sale of goods, wares and merchandise in this kingdom by commercial traveling agents from foreign countries." This Act provides that agents of foreign dealers shall not be allowed to sell goods in this country without first filing in the Interior Office a statement of the name, place and line of business of their principals, and taking out a license, the fee for which is fixed at \$500 for doing business in Honolulu and at \$250 for other parts of the Kingdom; and that any such agent who shall sell goods in this country for foreign dealers without such license shall be liable to a fine of \$500.

The purpose of this law is rather to protect local dealers than for revenue—to prohibit sales by foreign drummers without such burdens of high license fees which would put their principals, who pay no taxes here, approximately upon a par with the business men of the country. This being the case, the contract is void unless it can be shown that Mr. Young took out a license under the requirements of the statute. No such showing has been made though a license was filed, issued to Mr. Young on the 9th day of June, 1890, authorizing him to open and keep a wholesale store in Honolulu. This license does not come under the statute above referred to, and there is no evidence that Mr. Young ever opened such a store or did business for himself in this country.

"When a contract is prohibited whether expressly or by implication, it is illegal and cannot be enforced. Of this there is no doubt." (Benjamin on Sales, section 530 and cases cited.)

"Where a contract is prohibited by statute, it is immaterial to inquire whether the statute was passed for revenue purposes only or for any other object. It is enough that parliament has prohibited it, and it is therefore void."

"When the question is whether a contract is material, in construing the statute, to ascertain whether the legislature had in view solely the security and collection of the revenue, or had in view, in whole or in part, the protection of the public from fraud in contracts or the promotion of some object of public policy. In the former case, the inference is that the statute was not intended to prohibit contracts; in the latter, that it was." (Id., section 538.) I therefore refuse to admit the claim.

W. R. Castle for claimants; A. S. Hartwell for assignee.  
Honolulu, June 29th, 1892.

## CONGRESS AND POLITICS.

[From our own S. F. Correspondent.]

The National Democratic Committee have finally selected a chairman to conduct the campaign, in the person of W. F. Harrity, of Pennsylvania. S. P. Sheerin, of Indiana, will be secretary. The place was offered to Secretary Whitney, but he declined to assume the responsibility. Cleveland wanted Senator Brice to remain at the head of the committee, but his wishes were not consulted. The Republicans have chosen Senator Carter, of Montana, as chairman of their National Committee. He is a good man for the place.

Politics are yet quiet, and the red-hot battle will not begin for several weeks yet. The outlook is for a great deal of enthusiasm in the Democratic ranks and not much on the Republican side.

The defeat in the House of the Silver bill was due to the backsliding of southern and western Democrats who had all along been strong advocates of the measure. The announcement of the vote resulted in some fierce abuse of the party from the silver States, who declared that the action of these men would not only defeat them for re-election, but do the party a great deal of harm.

Democratic papers all over the country are publishing stories to the effect that the tin mines in Southern California are a failure, that they are run at a loss and are used for political purposes to help the McKinley law. A report from the mines denies these charges, and states the mines are improving all the time.

The ADVERTISER is the recognized peoples' paper.

## WHISPERS ABOUT WOMEN.

Miss Haggin, the granddaughter of J. B. Haggin, is as fond of horses as he is and can be seen frequently on a blooded horse.

The feature of the Petit salon in Paris this year is a portrait by Carthus Duran of a very pretty American girl, Miss Davis, dressed in electric blue.

Mrs. Julia Ward Howe believes that it is never too late to learn. She commenced the study of Greek when she was nearly seventy years of age.

The Woman's Voice is edited, managed and printed entirely by women. It is published by A. Florence Grant, the only woman who owns and conducts a printing office in Boston.

The wife and daughter of David Tenney Pulsifer, whose distinction comes through owning the famous swayback, Tenny, ride a great deal and own good looking horses. They are both small in stature and fair.

Mrs. Cunningham Graham, the Spanish wife of the socialist member of parliament, is a remarkable woman. She spends half the year in Spain following the track of St. Theresa, whose life she is engaged in writing.

Miss Fisher, of North Carolina, the lady who once wrote many novels under the name of Christian Reid, is now Mrs. Tiernan and publishes no more. She is the daughter of the Colonel Fisher who gave his name to Fort Fisher.

Mrs. Frances Fisher Wood, who is a graduate of Vassar and a trustee of Barnard college, asserts that the statistics prove that nine-tenths of the children of college bred women survive infancy. This record has never been reached before in any country or age.

Miss Mignon Conner, daughter of Billy Conner, who was the popular host of the St. James, New York, can ride like an Indian. She thinks no more of mounting a 2-year-old thoroughbred than some girls do of mounting a drummed out old school horse. She has hunted in England and in this country.

## RAILROAD JOTTINGS.

C. S. Mellen has assumed the position of general manager of the New York and New England railroad.

The Bellefonte Central railroad has been completed to the Pennsylvania State college, at Bellefonte, Pa.

About \$7,000,000 will be expended this and next year on the Pennsylvania lines west of Pittsburgh, with a view to accommodating the World's fair traffic.

A mile was recently run by a compound locomotive on the Pennsylvania railroad in 39.4 seconds. This would correspond to a speed of 91.7 miles per hour.

Fred W. Tucker, son of Horace Tucker, late general freight agent of the Illinois Central railroad, has gone to Denver to fill a position under President E. T. Jeffery, of the Denver and Rio Grande railway.

The Tennessee Midland road has been sold to T. I. Moss, of St. Louis, representing the Paducah, Tennessee, and Alabama Railroad company, who will extend the line from its present terminus at Tennessee river to Nashville, and will build from there to Birmingham.

At the annual meeting of the board of directors of the International and Great Northern railroad, in Palestine, Tex., the following officers of the company were elected: President, Jay Gould; first vice president, S. H. H. Clark; second vice president, Henry B. Kane; secretary and treasurer, A. R. Howard; assistant secretary and treasurer, P. B. Henson.

## AROUND THE THRONES.

Queen Victoria's appetite, always a matter of envy among her more delicate intimates, is said to be absolutely unimpaired and remarkably healthy.

Emperor William has collected his speeches on religious and social questions, which he has had handsomely bound, the first volume being sent to the pope.

The Prince and Princess of Wales are known as the Earl and Countess of Chester when they travel on the Continent. It was as the Earl of Chester that the prince made his celebrated American tour.

The conferences for women held at the Collegio Romano in connection with the classes for the higher education of women at the girls' college at the Palombella are attended with great regularity by Queen Margherita.

Prince Henry of Prussia has been selected to command the new German armored cruiser Beowulf, which is intended to strengthen the German fleet in the North sea. The prince has the rank of post captain and is the commander of the first marine division in Kiel.

A bureau of press clippings in London has received the royal "command" to furnish twenty distinct sets of newspaper cuttings from every periodical in the world, so far as obtainable, referring to the death of Prince Albert Victor. The sets are to be pasted each in a separate album.

## CALIFORNIA HORSE RECORDS.

Yearling trotting record—Fron Fron. Time, 2:25 1/4.  
Two-year-old trotting record—Arion. Time, 2:10 3/4.  
Three-year-old trotting record—Sunol. Time, 2:10 3/4.  
Four-year-old trotting record—Sunol. Time, 2:10 3/4.  
Five-year-old trotting record—Sunol. Time, 2:08 3/4.  
World's trotting record—Sunol. Time, 2:08 3/4.  
World's stallion record—Palo Alto. Time, 2:08 3/4.  
Yearling pacing record—Fausta. Time, 2:22 3/4.  
World's pacing record—Direct. Time, 2:06.  
World's pacing record for stallions—Direct. Time, 2:06.  
World's trotting record for yearling stallions—Athodon. Time, 2:29 3/4.

## Massage.

MRS. PRAY CAN BE FOUND (until Aug. 9) at S. N. Castle King street. Telephone: Mutual 207, Bell 525.

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TO THOSE WHO VALUE THEIR SIGHT.

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OPHTHALMIC OPTICIAN,

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The system of sight Testing (Patent 4354, invented by him) is now being universally adopted, and

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Specially invites the Medical Profession and all interested in

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LATEST IMPROVEMENTS IN LENSES AND FRAMES

As prescribed by Ophthalmic Surgeons. 3136-3w

## The Planter's Monthly

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## JUNE.

High Priced Sugar in California. With Our Readers. Past and Present. Improving Seed Cane. Domestic Exports. Regarding Seed Cane. The Agriculture of Beets and Cane. About Cane Plants. Letter from a Hawaiian Planter. Deterioration of Sugar Cane. The American Sugar Refinery Co.'s Profits.

Economic Value of Good Roads. Diseases of the Grape. Insecticides. A Californian Meets Mr. Koehle in Australia. The Sugar Bonny. Beet Sugar. The Low Return per Acre of Cane.

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White Leghorns,  
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Wyndotte,  
Handans,  
Buff Coachins.

All island orders attended to.  
Inquire at Waikiki Poultry Yard,  
or  
C. W. MACFARLANE.  
P. O. Box 287. 3038

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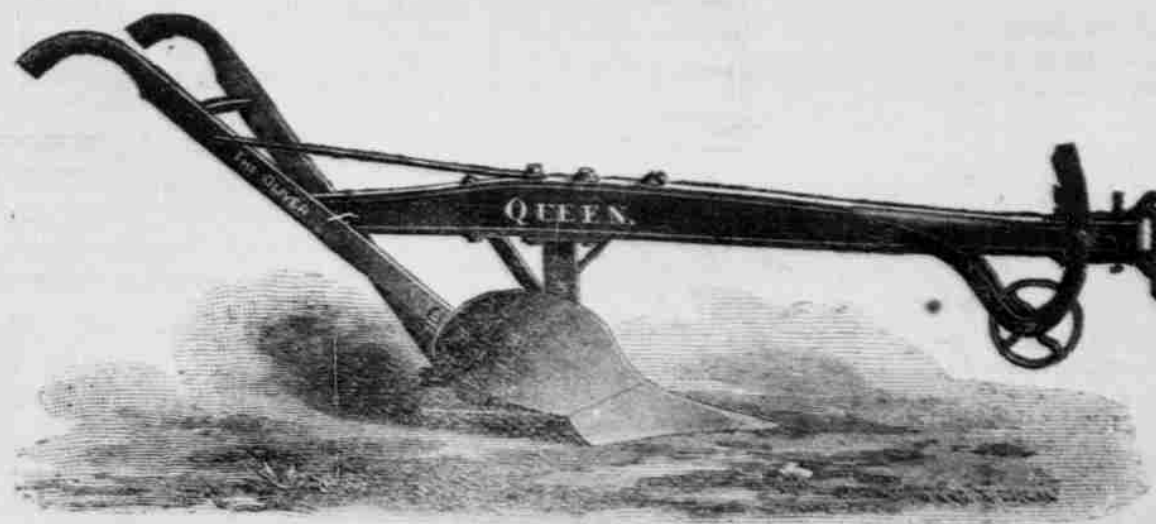
## AFTER A CAREFUL STUDY!

Of the requirements in the cultivation of our Island Soils we are now enabled to furnish to Plantations the following superior line of

## STEEL PLOWS

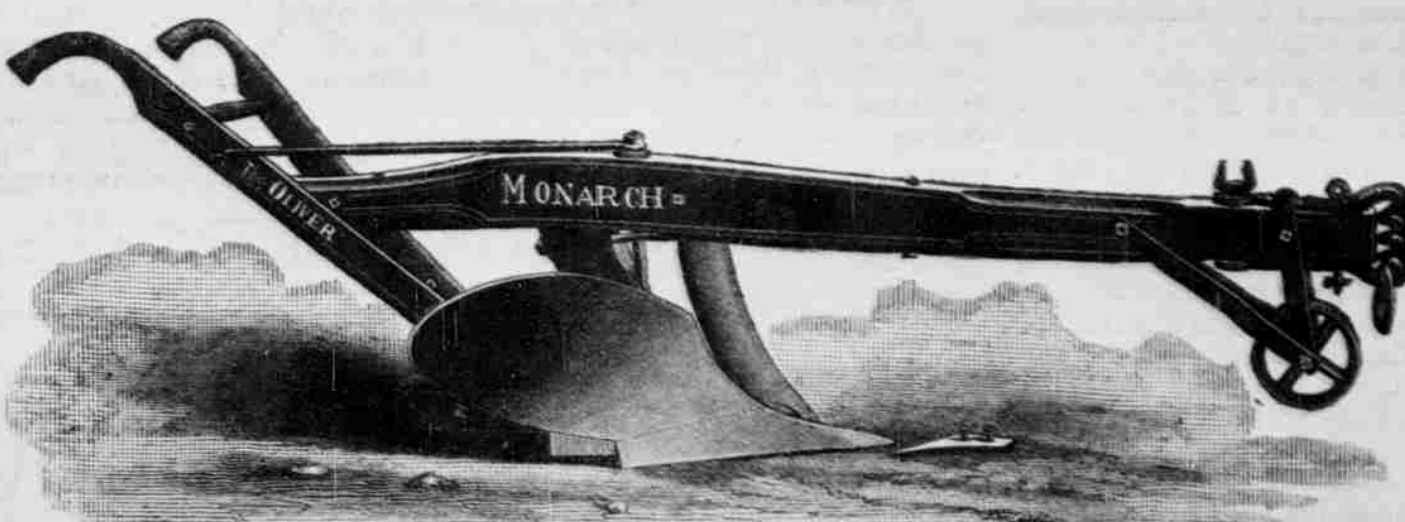
Manufactured by the celebrated OLIVER STEEL PLOW WORKS. These plows are made ESPECIALLY STRONG, and are well adapted to the work required of them. We especially recommend the MONARCH as a BREAKER.

## THE QUEEN.



Sizes—No. 1, 6 in.; No. 2, 8 in.; No. 3, 10 in.

## THE MONARCH.



Sizes—No. 3, 12 in.; No. 4, 14 in.

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For sale by

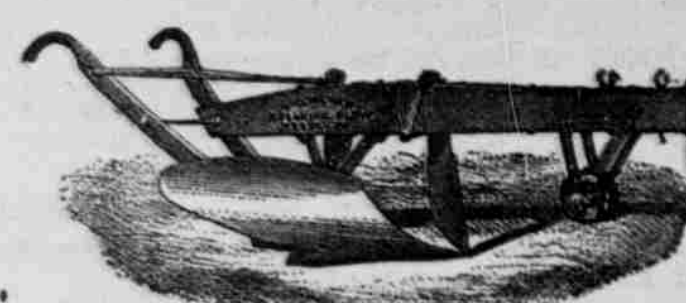
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usefulness.

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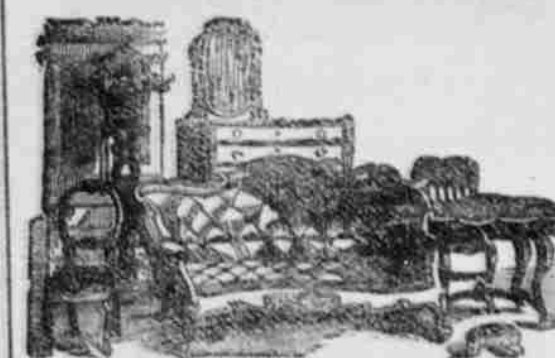
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AGENTS.

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Send us a sample order and try some.

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